

OFFICE OF THE DIRECTOR

DEPARTMENT OF MOTOR VEHICLES

P.O. BOX 932328
SACRAMENTO, CA 94232-3280



November 5, 2008

To: Interested Persons

Re: Notice of Modification of Proposed Regulations
Title 13, Article 2, Section 20.05
Driver License and Identification Cards: Gender Change

In accordance with Government Code section 11346.8(c), the Department of Motor Vehicles (department) provides this notice for the purpose of inviting comments regarding modification of the proposed regulations governing changes to gender on driver licenses and identification cards. The regulatory language as originally proposed was published in the California Regulatory Notice Register on April 18, 2008, and provided to interested persons for comment.

The department received no comments during the 45-day comment period and no public hearing was held. The department has determined that additional modifications to the originally proposed text of the regulations are necessary to ensure physicians and psychologists are completing the certification portion of the Certification and Authorization form within their respective scopes of practice. These modifications will continue to allow either a physician or psychologist to certify an applicant's gender identification as being transitional but will only allow a physician to certify the applicant's gender identification is complete. The department is also adopting a new form for the affected public to use when changing their gender identification.

Attached is the full text of the proposed regulation. The text includes the originally proposed language as well as the proposed changes to the language. The proposed modifications affect section 20.05. The language modifications are clearly illustrated by the following methods:

- (1) The language not proposed in the original text but now being added is identified by double underlines.
- (2) ~~The language originally proposed but now being deleted is identified by strikeouts.~~

Any interested person may submit written comments regarding the changes to the proposed text to the Department of Motor Vehicles, Regulations Unit C-244, PO Box 932382, Sacramento, California 94232-3820. The comments must be received at the department no later than 5:00 pm on November 20, 2008, in order for them to be considered by the department.

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Inquiries concerning the proposed regulatory action may be directed to departmental representative, Randi Calkins, at (916) 657-8898, by e-mail at rcalkins@dmv.ca.gov, or by fax at (916) 657-1204.

The department has available the notice of proposed regulatory action, the initial statement of reasons, the original regulatory language, and other materials related to the proposed action. The contact person identified in this notice shall, upon request, make these documents available to the public.